
From: [REDACTED]
Sent: 26/08/2021 5:25:30 PM
To: Council Mailbox
Subject: LODGEMENT OF SUBMISSION RE DA2021/1166
Attachments: SUBMISSION TO COUNCIL DA20211166.pdf;

DA2021/1166

For the attention of Adam Mitchell Principal Planner:

Please refer attached my submission in relation to the proposed development **DA2021/1166** relating to the property at **142 Ocean St Narrabeen.**

I request that my personal details including my email address and name, not be made public.

Thankyou for considering my submission

Regards

[REDACTED]

co-owner

[REDACTED].

SUBMISSION TO NORTHERN BEACHES COUNCIL

DA2021/1166

DEVELOPMENT APPLICATION FOR 142 OCEAN ST NARRABEEN

LOT 12 Sec 47 DP 111254

I own a property in the unit block at 144 Ocean St which is to the north of the proposed development. My unit is on the top floor and the only windows and the sliding door to the apartment face south, and are directly opposite the terrace proposed for the top of the development at 142.

The current design of the development directly impacts my apartment as well as surrounding properties in Ocean St and Lagoon St.

It is submitted that the current plan represents an overdevelopment of the property which is evidenced by aspects where the plan does not meet with Council's planning regulations.

The current proposed size, scale and design of the construction for the site would unnecessarily negatively impact neighbouring properties in terms of amenity, privacy, views and outlook.

ASPECTS WHERE THE PROPOSAL DOES NOT MEET WITH COUNCIL PLANNING REGULATIONS

1. Number of Storeys

The Warringah Development Control Plan (DCP) indicates that the property at 142 Ocean St Narrabeen is zoned R3 residential. This zoning allows for the development of a two-story construction only on the site. In that regard I refer to the Warringah DCP Part 2 B2 number of storeys.

The R3 residential zoning intends that development in the designated zones does not unnecessarily impact neighbouring properties and local environments.

However, at page 23 of the Statement of Environmental Effects it is noted that the proposed construction is technically for a three-story building.

The plan is also asking for the construction of a 107 sq metre terrace on top of the building which effectively means asking for permission for living space over four storeys.

There is no specific mention of the terrace in the Statement of Environmental Effects. This terrace is a very large open area that impacts the adjoining properties. Its environmental effect is significant in terms of its impact on visual privacy, acoustic privacy, outlook and views.

The planning documents state that the rooftop terrace is meant to provide water views to residents of Unit 3 of the proposed development. However, without that terrace, those views would only otherwise be accessible by the addition of another storey to the development.

2. Setback from Boundaries

Reference is made to the Statement of Environmental Effects setbacks on page 23 and the table at 5.5 - B5 side boundary setbacks. The development would not meet the requirement for a 4.5 metres setback from the boundaries required under the Warringah DCP. The reasons given is that the site is too narrow to allow for the required setback, but that is given the scale of the proposed development.

It is also noted that reference is also made to the northern side boundaries at page 9 of the Statement of Environmental effects and it states there-

“Setbacks to the northern and southern side boundaries range from 3.5m to 4.5m to the southern boundaries and 2.058m to 5.794m to the northern side boundary for the ground floor, with similar setbacks provided to the first floor”

This appears inconsistent with distances stated for the northern setbacks at page 23 of the report.

Reference is also made to Apartment Design Guide Document Objective 3F Visual Privacy. The proposed design can neither achieve the 6 metres side setbacks stipulated in the 3F Objective nor the 4.5 meters stipulated in the Warringah DCP

In order to fit the proposed building on the 930 sq metre site, Council requirement for the side setbacks cannot be met. This result in encroachment on neighbouring properties both affecting amenity and privacy for those properties.

There are also concerns as to the proximity to the boundary and the increased risk that the excavation and building may cause foundational damage to neighbouring constructions.

Again, it is an indication of possible overdevelopment of the site and that alternative designs would be more appropriate

3. Landscape to Land Area Ratio

The development does not meet the requirement of the ratio of landscaping to land size ratio of a minimum of 50% of the site areaⁱ. In order to improve upon the proposed 35% ratio, the plan proposes planter boxes for the rooftop terrace to help them meet the requirements which still would not achieve the ratios. The planter boxes and the types of plantings proposed are inappropriate in terms of the types of plantings and the sighting of the planter boxes and unnecessarily negatively impact neighbouring properties.

The inclusion of an inground pool means all that this area is not available for landscaping.

4. Building Height

I refer to the plan - Master Set page 8 drawing Section AA. The plan for the combined height of the wall of the rear of the building from ground level to the underside of the ceiling of the Rumpus, Unit 1 and Unit 2 totals 7.506 metres. This appears to exceed the maximum 7.2 metre wall building height limit under Built Form Controls as per the Warringah Local Environmental Plan 2011.

ASPECTS WHERE THE PLANNED DEVELOPMENT ADVERSELY IMPACTS MINE AND NEIGHBOURING PROPERTIES

The development proposed would have a negative impact on my property at 144 Ocean St. The main impact would be caused by the proposed rooftop terrace, the rooftop planting and potentially the lift overrun.

ROOFTOP TERRACE

ADG Compliance Statement at 4N Roof Design – Notes that

“A private roof terrace is provided to Apartment 3 to maximise their amenity by providing additional outdoor space & opportunities to have an outlook towards the water.”

However, the apartment design for Unit 3 shows it already has 2 balconies, one with an outlook towards the east and the ocean. The plan for Apartment 3 is large with 139 sq metres internal areaⁱⁱ and balconies space of 15 square metresⁱⁱⁱ. In addition, the development proposes a rooftop terrace for Unit 3 of over 107 square metres. This is almost equivalent to the size of the entire unit.

I refer to planning document master plan set diagram 7 which shows that the top of the proposed terrace barrier is of an equivalent height to the balcony heights of the top floor units of 144 Ocean St (the unit block at 144 being 4 storeys high with garages underneath, and then 3 levels of units above the garages). The terrace effectively adds another storey to the proposed building in terms of the effect that it has on close neighbours.

You cannot tell how high the lift overrun is. It appears that the proposed rooftop terrace and planter boxes would be directly adjacent to the kitchen, lounge room and bedroom window/doors of my unit. It is a small one bedroom unit which only opens out to the south. The outlook to the south east, south and south west are all important as they give a sense of spaciousness which is highly valued also provides access to some water views.

- The terrace and the lift overrun would impede district and possibly ocean views
- People standing or sitting on the terrace could look directly into living and sleeping areas of top floor units in number 144 Ocean St so loss of privacy is of great concern
- The size of the terrace means that there would be potentially large gatherings of people – there is no effective barrier to noise
- The proposed terrace barriers and the placement of planter boxes and oversized trees would obscure/block the outlook to the south, south west and south east and result in a more closed in feeling for the top floor units of the adjacent units in 144 Ocean St

- The gains obtained by a 'single' unit in the proposed development at 142 Ocean by having the rooftop terrace comes at a cost to a number of adjoining properties in terms of privacy, amenity and value. This is a result which I do not believe is intended under the objectives of the Warringah DCP for a property in this location.

ROOFTOP GARDEN

- The planter boxes proposed for the rooftop terrace would be positioned opposite my apartment. The eastern planter appears to be in front of living room/balcony. The western planter appears to be in front of the bedroom window. The rooftop terrace barrier height and the planter heights appear to be the same height as the balconies of 144 Ocean St. These structures, and the proposed plantings, depending on how high they grow, would obscure or partially obscure my outlook to the south and to the south west and possibly to the south east.
- The tree 'Cupaniopsis anacardioides' has a potential to grow to a height of 7 to possibly 10 metres. This tree is closest to Ocean St and appears to sit across from my living room/balcony
- The tree Citrus "Eureka" Dwarf is designed to grow to a height of 2 metres. This tree appears to be positioned directly across from my bedroom window
- The large trees proposed for the rooftop plantings seems completely inappropriate in terms of practicality and aesthetic. I have had reference to the advice of an arborist who confirms this in particular with regard to the larger of the trees. Being located across from the sea, and on a rooftop when there are high winds especially from the south means that it is not safe in any case
- What is of utmost importance to the occupants of the top floor unit of 144 Ocean St is to maintain the sense of space that is afforded by being able to look out over the area

ROOFTOP LIFT OVERRUN

- There is no mention of the height of the lift overrun so it is difficult to assess the impact however it appears to sit directly opposite my unit in 144 Ocean St between the toilet & bedroom windows.
- It would affect the outlook directly south but depending on the height could also affect the line of sight from the bedroom window out towards the east and a view of the ocean which is highly valued

DESIGN OF THE SOUTHERN SIDE ROOFTOP OF THE PROPOSAL

- The 'angled' design on the southern side of the proposed development causes an obstruction to the outlook of both 140 Ocean St and 144 Ocean St and appears to be a design feature only.
- The design document notes that the design facilitates privacy for the terrace from the street. That would not be a consideration if the terrace was not there
- A flat top roof design would be more in keeping with the design of other two story unit blocks in the area of Ocean St and Lagoon St.

REQUEST FOR FURTHER INFORMATION

I would request if possible

1. Details of how high the lift overrun reaches at the rooftop height and whether there would be any impact of the noise from the lift itself
2. Whether overshadowing caused by the proposed tree planting on the rooftop has been taken into account in terms of the impact for the properties to the north and south of 142 Ocean St

I HAVE INCLUDED PHOTOS TAKEN FROM INSIDE MY UNIT LOCATED ON THE TOP FLOOR OF 144 OCEAN ST – THEY ARE TAKEN FROM THE PERSPECTIVE OF LOOKING OUTWARDS TOWARDS 142 OCEAN ST

LOUNGE/LIVING AREAS PHOTOS







BEDROOM PHOTOS







KITCHEN PHOTOS





ⁱ STATEMENT OF ENVIRONMENTAL EFFECTS page 24 D1

ⁱⁱ ADG COMPLIANCE STATEMENT 4D

ⁱⁱⁱ ADG COMPLIANCE STATEMENT 4E